

MEMORANDUM

May 2, 1973

TO: BOSTON REDEVELOPMENT AUTHORITY  
FROM: Robert T. Kenney, Director  
SUBJECT: BOARD OF APPEAL REFERRALS

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Hearing Date: 5/7/74

Petition No. Z-3069  
Cambridge Lee Industries, Inc.  
H. Indursky, President  
505 Lincoln Street  
Brighton

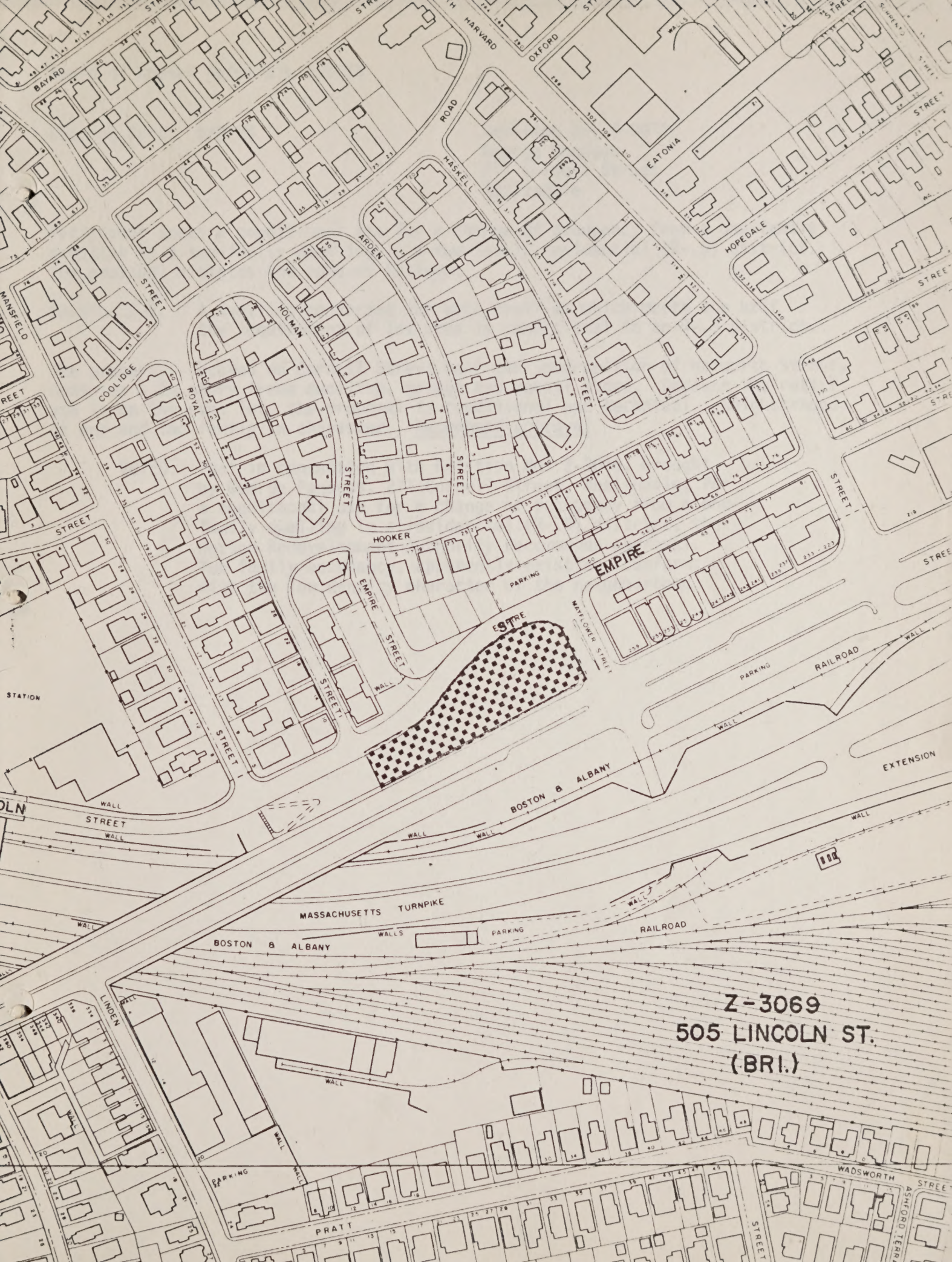
Petitioner seeks a forbidden use to erect a one story and basement office building in a local business (L-1) district. The proposal violates the code as follows:

Section 8-7. Office or display or sales space of a wholesale, jobbing or distributing house is forbidden in an L-1 district.

The property, located on Lincoln Street near the intersection of Empire Street, contains 32,589 square feet of vacant land. Building would provide administrative office space for wholesale metal distributor. Basement level garage would accommodate 29 cars; there would also be 14 outdoor off street facilities.  
Recommend approval with design review proviso.

VOTED: That in connection with Petition No. Z-3069, brought by Cambridge Lee Industries, Inc., 505 Lincoln Street, Brighton, for a forbidden use to erect a one story and basement office building in a local business (L-1) district, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.





Z-3069  
505 LINCOLN ST.  
(BRI.)



Board of Appeal Referrals 5/2/74

Hearing Date: 5/7/74

Petition No. Z-3070  
George Panagos  
271 Cornell Street  
Roslindale

Petitioner seeks a conditional use for a change of occupancy from a one-family dwelling to a two-family dwelling in a two-family residential (R-.5) district. The proposal violates the code as follows:

Section 8-7. A dwelling converted for more families which meets one half the requirement of lot area is conditional in an R-.5 district.

The property, located on Cornell Street near the intersection of Walworth Street, contains a 2½ story frame dwelling, garage and retail store. Because the retail use is on the same lot, the proposal is conditional and technical. Neighborhood is one and two family in character. Recommend approval.

VOTED: That in connection with Petition No. Z-3070, brought by George Panagos, 271 Cornell Street, Roslindale, for a conditional use for a change of occupancy from a one-family dwelling in a residential (R-.5) district, the Boston Redevelopment Authority recommends approval. Two family occupancy, apparently existing, conforms with the low density character of the neighborhood.





Z-30 70  
271 CORNELL ST.  
(ROS.)



Board of Appeal Referrals 5/2/74

Hearing Date: 5/7/74

Petition No. Z-3072  
Sumed Realty Inc.  
Louis Winer, Clerk  
1213 VFW Parkway  
West Roxbury

Petitioner seeks two conditional uses and a forbidden use to use premises of a drive-in theatre for a flea market in a local business (L-.5) and general business (B-1) district. The proposal violates the code as follows:

Section 8-7. Outdoor place of assembly for profit is forbidden in an L-.5 district and conditional in a B-1 district.

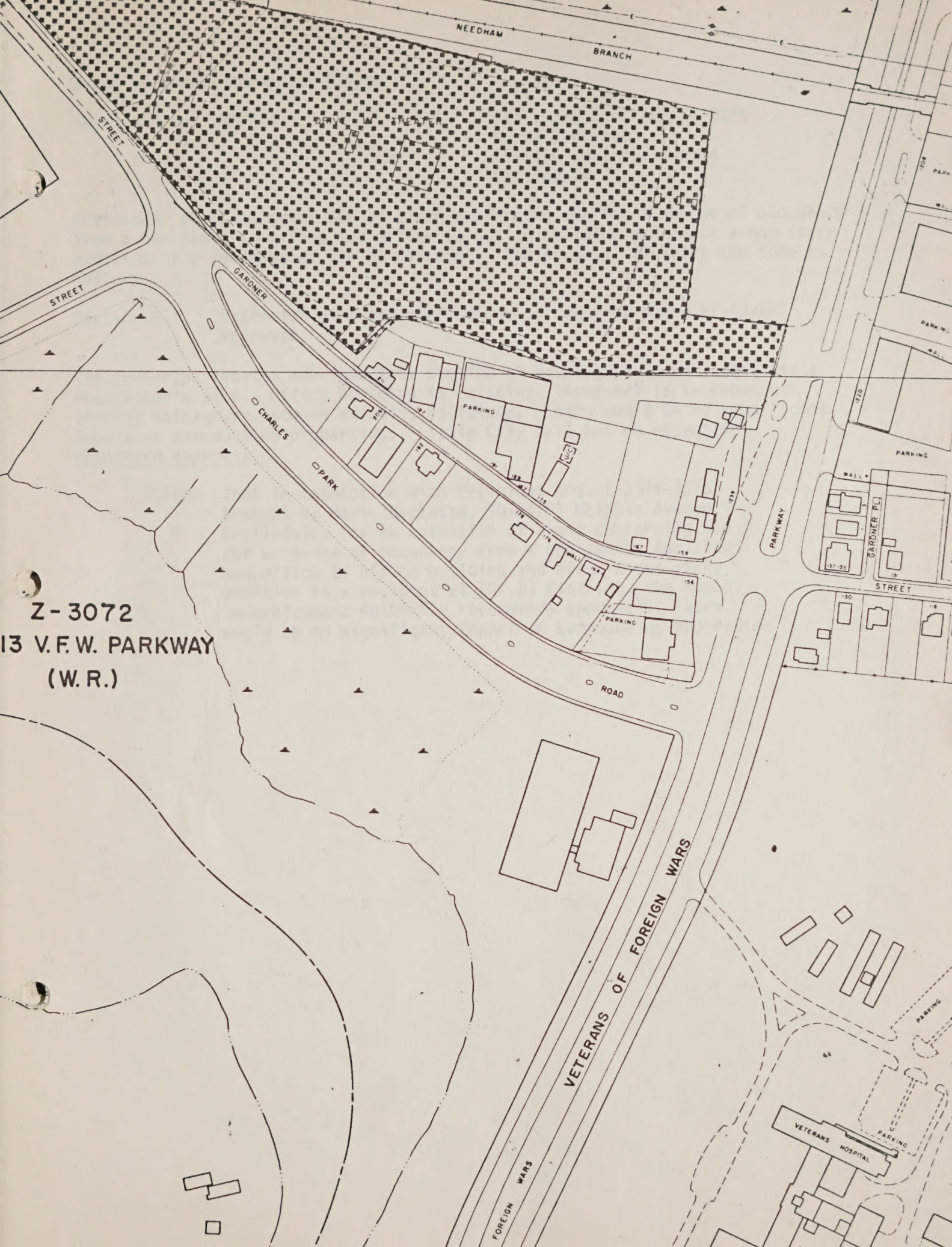
Section 8-6. A change in an existing conditional use requires a Board of Appeal hearing.

The property, located on VFW Parkway near the intersection of Gardner Street, contains a drive-in movie theatre on approximately 12 acres of land. Operation would be limited to Sunday between 9 a.m. and 5 p.m. There would be no new construction. Articles would be sold from portable tables. Staff recommends that petitioner provide adequate traffic control and supervision during hours of operation. Recommend approval with proviso.

VOTED: That in connection with Petition No. Z-3072, brought by Sumed Realty Inc., Louis Winer, Clerk, 1213 VFW Parkway, West Roxbury, for two conditional uses and a forbidden use to use premises of a drive-in theatre for a flea market in a local business (L-.5) and general business (B-1) district, the Boston Redevelopment Authority recommends ~~approval with the following condition: that the petitioner provide adequate traffic control and supervision during hours of operation.~~

denial.





Z-3072  
13 V.F.W. PARKWAY  
(W.R.)



Board of Appeal Referrals 5/2/74

Hearing Date: 5/7/74

Petitions Nos. Z-3074-3075  
Maria Barletta  
10-14(R) Whipple Avenue  
Roslindale

Petitioner seeks an extension of a non-conforming use for a change of occupancy from a one-family dwelling and office to office building and erect a one-story addition in a residential (R-.8) district. The proposal violates the code as follows:

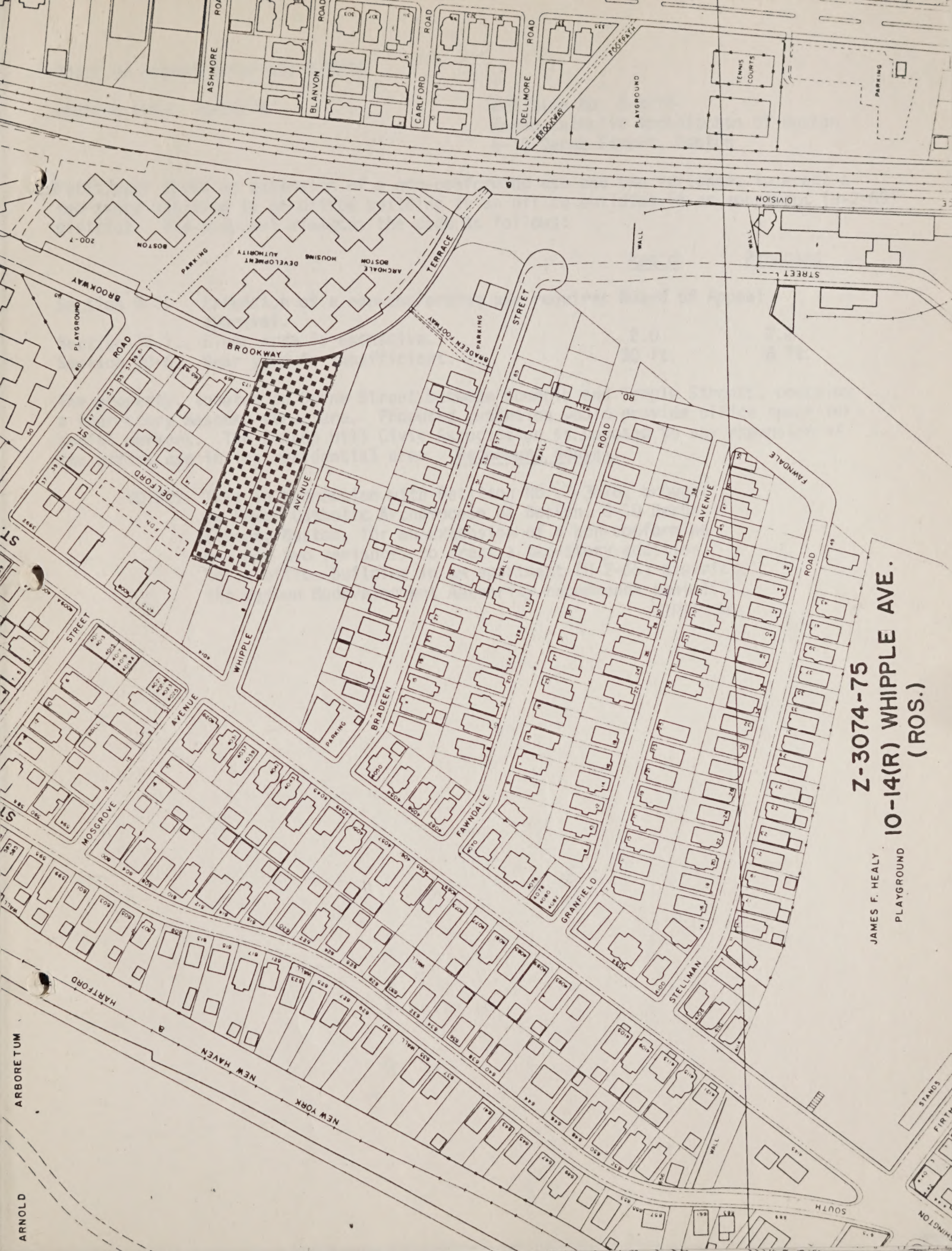
Section 9-1. Extension of a non-conforming use requires Board of Appeal approval.

The property, located near the intersection of Washington Street, contains a contractor's yard. Office building is existing. Proposal is to construct covered passageway between existing buildings. There would be no significant impact on surrounding properties. Little City Hall has no objection.

Recommend approval.

VOTED: That in connection with Petitions Nos. Z-3074-3075, brought by Maria Barletta, 10-14(R) Whipple Avenue, Roslindale, for an extension of a non-conforming use for a change of occupancy from a one-family dwelling and office to office building and erect a one-story addition in a residential (R-.8) district, the Boston Redevelopment Authority recommends approval. There would be no significant impact on surrounding properties.





**Z-3074-75**  
**10-14(R) WHIPPLE AVE.**  
**(ROS.)**

JAMES F. HEALY  
PLAYGROUND



Board of Appeal Referrals 5/2/74

Hearing Date: 5/14/74

Petition No. Z-3076

Roman Catholic Archdiocese of Boston  
8-10 Derne Street, Boston

Petitioner seeks an extension of a non-conforming use and two variances to erect a two-story addition to an office building in an office building in an apartment (H-2-65) district. The proposal violates the code as follows:

		<u>Req'd</u>	<u>Proposed</u>
Section 9-1.	Extension of a non-conforming use requires Board of Appeal approval.		
Section 15-1.	Floor area is excessive.	2.0	2.2
Section 20-6.	Rear yard is insufficient.	30 ft.	6 ft.

The property, located on Derne Street between Bowdoin and Temple Streets, contains a four-story masonry structure. Proposed expansion would provide office space for social workers. The Beacon Hill Civic Association is opposed to any expansion of the office use in the residential area. Recommend denial.

VOTED: That in connection with Petition No. Z-3076, brought by Roman Catholic Archdiocese of Boston, 8-10 Derne Street, Boston, for an extension of a non-conforming use and two variances to erect a two-story addition to an office building in an apartment (H-2-65) district, the Boston Redevelopment Authority recommends ~~denial.~~  
approval.





Z-3076  
8-10 DERNE ST  
(B.P.)



Board of Appeal Referrals 5/2/74

Hearing Date: 5/14/74

Petition No. Z-3077  
Douglas Watson  
4-6 Humphreys Street  
Dorchester

Petitioner seeks a conditional use and a change in a non-conforming use for a change of occupancy from community garage (18 cars) to four car repair shop garage in a local business (L-.5) district. The proposal violates the code as follows:

Section 8-7. A repair shop garage is conditional in an L-.5 district.

Section 9-2. A change in a non-conforming use requires Board of Appeal approval.

The property, located near the intersection of East Cottage Street, contains a one story masonry structure. Residential uses abut on three sides. The nature of the proposal with attendant noise and traffic would have a serious impact on the adjacent residential environment. Recommend denial.

VOTED: That in connection with Petition No. Z-3077, brought by Douglas Watson, 4-6 Humphreys Street, Dorchester, for a conditional use and a change in a non-conforming use for a change of occupancy from a community garage to repair shop garage in a local business (L-.5) district, the Boston Redevelopment Authority recommends denial. The nature of the proposal with attendant noise and traffic would have a serious impact on the adjacent residential environment.



Z-3077

4-6 HUMPHREYS ST  
(DOR.)





Board of Appeal Referrals 5/2/74

Hearing Date: 5/14/74

Petition No. Z-3079  
Harry M. Angelus  
235-235A Newbury &  
36-38 Fairfield Streets,  
Boston

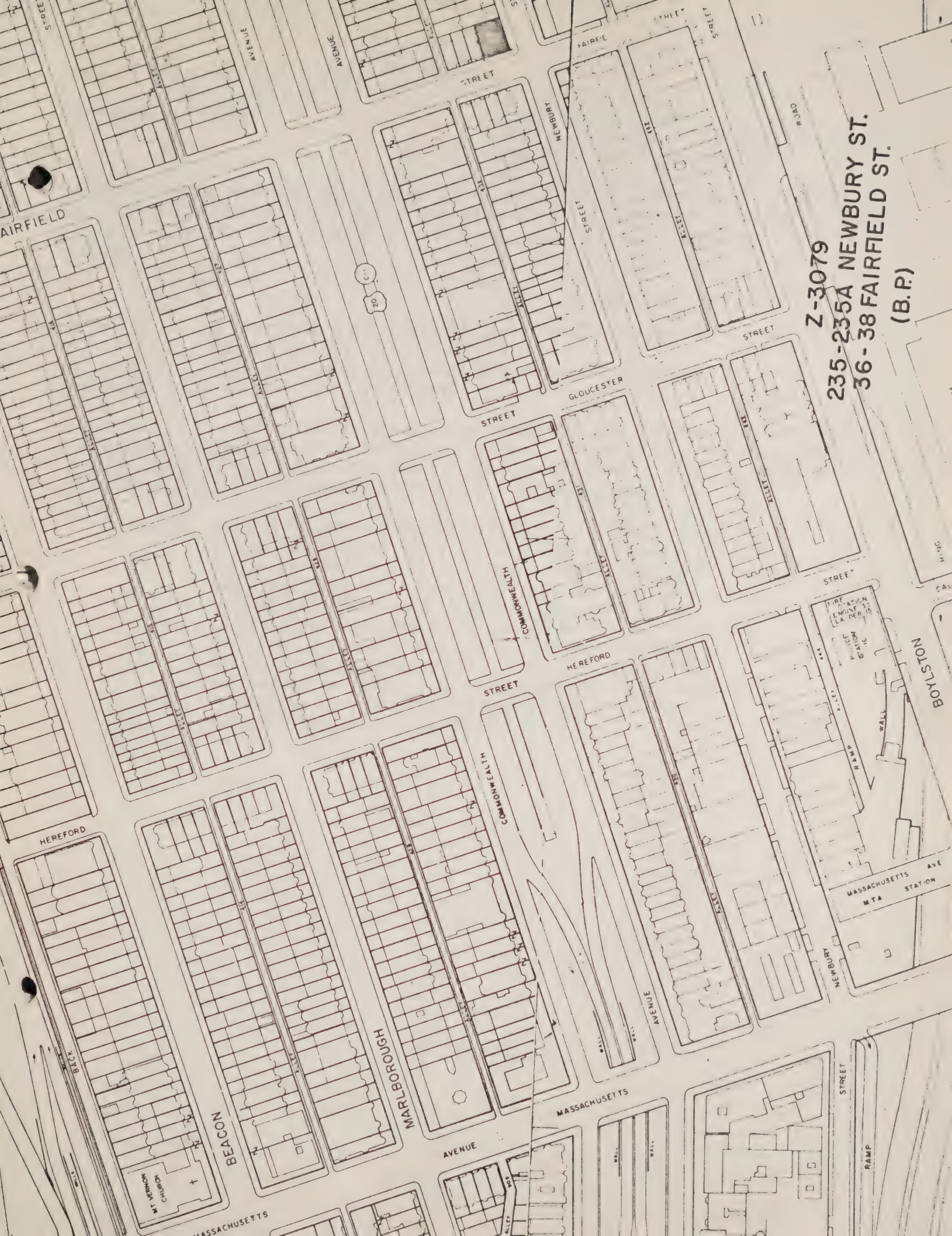
Petitioner seeks a conditional use for a change of occupancy from 13 apartments, offices and retail stores to 12 apartments, offices, store and restaurant in a general business (B-4-70) district. The proposal violates the code as follows:

Section 8-7. A restaurant is conditional in a B-4-70 district.

The property, located at the intersection of Newbury and Fairfield Streets, contains a four story masonry structure. Restaurant operation would include outdoor cafe (approximately nine tables). Staff recommends the following conditions: that plans show location of adequate storage of garbage; that the outdoor facility terminate no later than 11:00 p.m. daily; that all plans be submitted for design review.  
Recommend approval with design review proviso.

VOTED: That in connection with Petition No. Z-3079, brought by Harry M. Angelus, 235-235A Newbury & 36-38 Fairfield Streets, Boston, for a conditional use for a change of occupancy from 13 apartments, offices and retail stores to 12 apartments, offices, store and restaurant in a general business (B-4-70) district, the Boston Redevelopment Authority recommends approval with the following conditions: that plans show the location of adequate storage of garbage; that the outdoor facility terminate no later than 11:00 p.m. daily; that all plans be submitted to the Authority for design review.





Z-3079

235-235A NEWBURY ST.  
36-38 FAIRFIELD ST.  
(B.P.)



Board of Appeal Referrals 5/2/74

Hearing Date: 5/14/74

Petition No. Z-3080

John L. McCourt, Jr. (Prospective Purchaser)  
183 Cambridge Street, Allston

Petitioner seeks two conditional uses and a variance for a change of occupancy from gas service station to repair garage and to erect two additions to existing one-story structure in a local business (L-1) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-6. A change in a pre-existing conditional use requires a Board of Appeal hearing.		
Section 8-7. A repair garage is conditional in an L-1 district.		
Section 20-1. Rear yard is insufficient.	20 ft.	0

The property, located at the intersection of Cambridge and Sorrento Streets, contains a one-story vacant gas service station structure. Site is inappropriate, surrounded on three sides by residential properties. Automotive service facility would tend to blight the adjacent low density neighborhood. Recommend denial.

VOTED: That in connection with Petition No. Z-3080, brought by John L. McCourt, Jr., (Prospective Purchaser) 183 Cambridge Street, Allston, for two conditional uses and a variance for a change of occupancy from gas service station to repair garage and to erect two additions to existing one-story structure in a local business (L-1) district, the Boston Redevelopment Authority recommends denial. Site is inappropriate; surrounded on three sides by residential properties. Automotive service facility would tend to blight adjacent low density neighborhood.



Board of Appeal Referrals 5/2/74

Hearing Date: 5/14/74

Petition No. Z-3080

John L. McCourt, Jr. (Prospective Purchaser)  
183 Cambridge Street, Allston

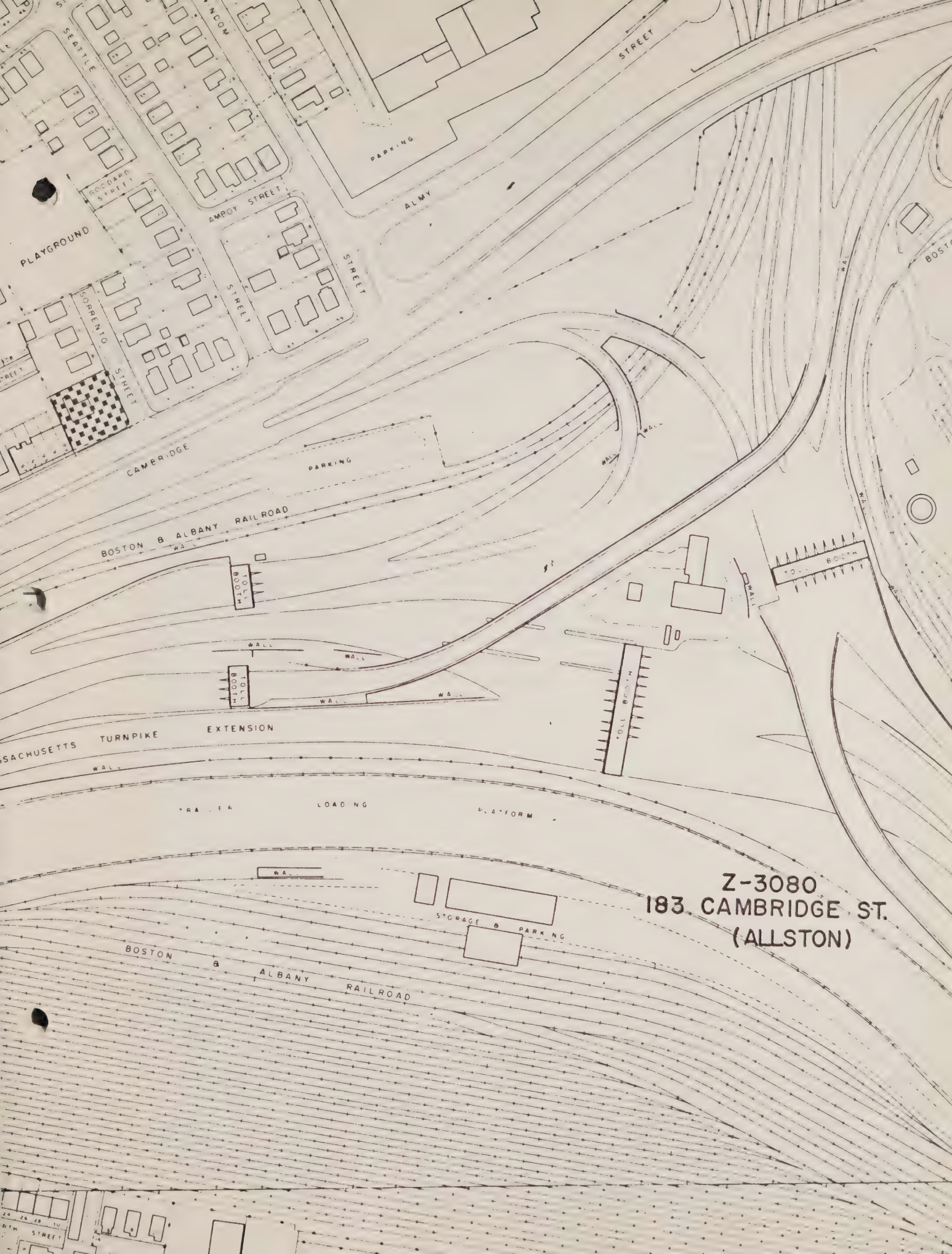
Petitioner seeks two conditional uses and a variance for a change of occupancy from gas service station to repair garage and to erect two additions to existing one-story structure in a local business (L-1) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-6. A change in a pre-existing conditional use requires a Board of Appeal hearing.		
Section 8-7. A repair garage is conditional in an L-1 district.		
Section 20-1. Rear yard is insufficient.	20 ft.	0

The property, located at the intersection of Cambridge and Sorrento Streets, contains a one-story vacant gas service station structure. Site is inappropriate, surrounded on three sides by residential properties. Automotive service facility would tend to blight the adjacent low density neighborhood. Recommend denial.

VOTED: That in connection with Petition No. Z-3080, brought by John L. McCourt, Jr., (Prospective Purchaser) 183 Cambridge Street, Allston, for two conditional uses and a variance for a change of occupancy from gas service station to repair garage and to erect two additions to existing one-story structure in a local business (L-1) district, the Boston Redevelopment Authority recommends denial. Site is inappropriate; surrounded on three sides by residential properties. Automotive service facility would tend to blight adjacent low density neighborhood.





Z-3080  
183 CAMBRIDGE ST.  
(ALLSTON)



Board of Appeal Referrals 5/2/74

Hearing Date: 5/7/74

Petition No. Z-3081  
American Cancer Society  
247 Commonwealth Avenue  
Boston

Petitioner seeks a conditional use and a variance to erect a one story addition to an office building in an apartment (H-5-70) district. The proposal violates the code as follows:

	<u>Req'd</u>	<u>Proposed</u>
Section 8-6. Extension of an existing conditional use requires a Board of Appeal hearing.		
Section 20-1. Rear yard is insufficient.	20 ft.	0

The property, located on Commonwealth Avenue near the intersection of Fairfield Street, contains a five-story masonry structure. Existing areaway at rear of building would be enclosed and utilized for shipping, receiving and storage. Violation would not have a significant affect on adjacent properties.  
Recommend approval.

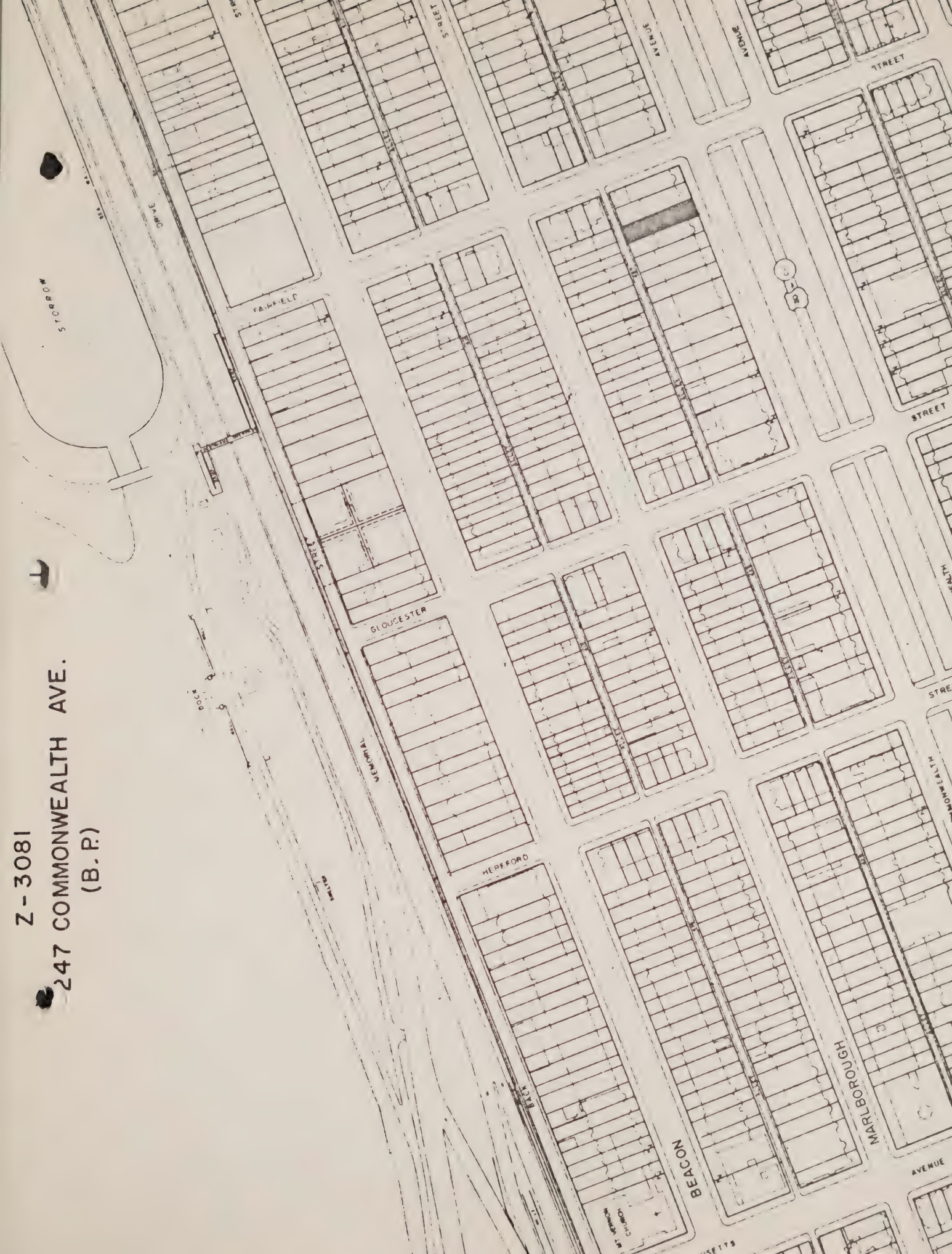
VOTED: That in connection with Petition No. Z-3081, brought by American Cancer Society, 247 Commonwealth Avenue, Boston, for a conditional use and a variance to erect a one story addition to an office building in an apartment (H-5-70) district, the Boston Redevelopment Authority recommends approval. Violation would not have a significant affect on adjacent properties.



Z-3081

247 COMMONWEALTH AVE.

(B.P.)





Board of Appeal Referrals 5/2/74

Hearing Date: 5/14/74

Petition No. Z-3082  
Commonwealth Bank & Trust Co.  
40 Wm. J. Kelly Square  
East Boston

Petitioner seeks two variances to erect a one-story bank, store and office building in a general business (B-2) district. The proposal violates the code as follows:

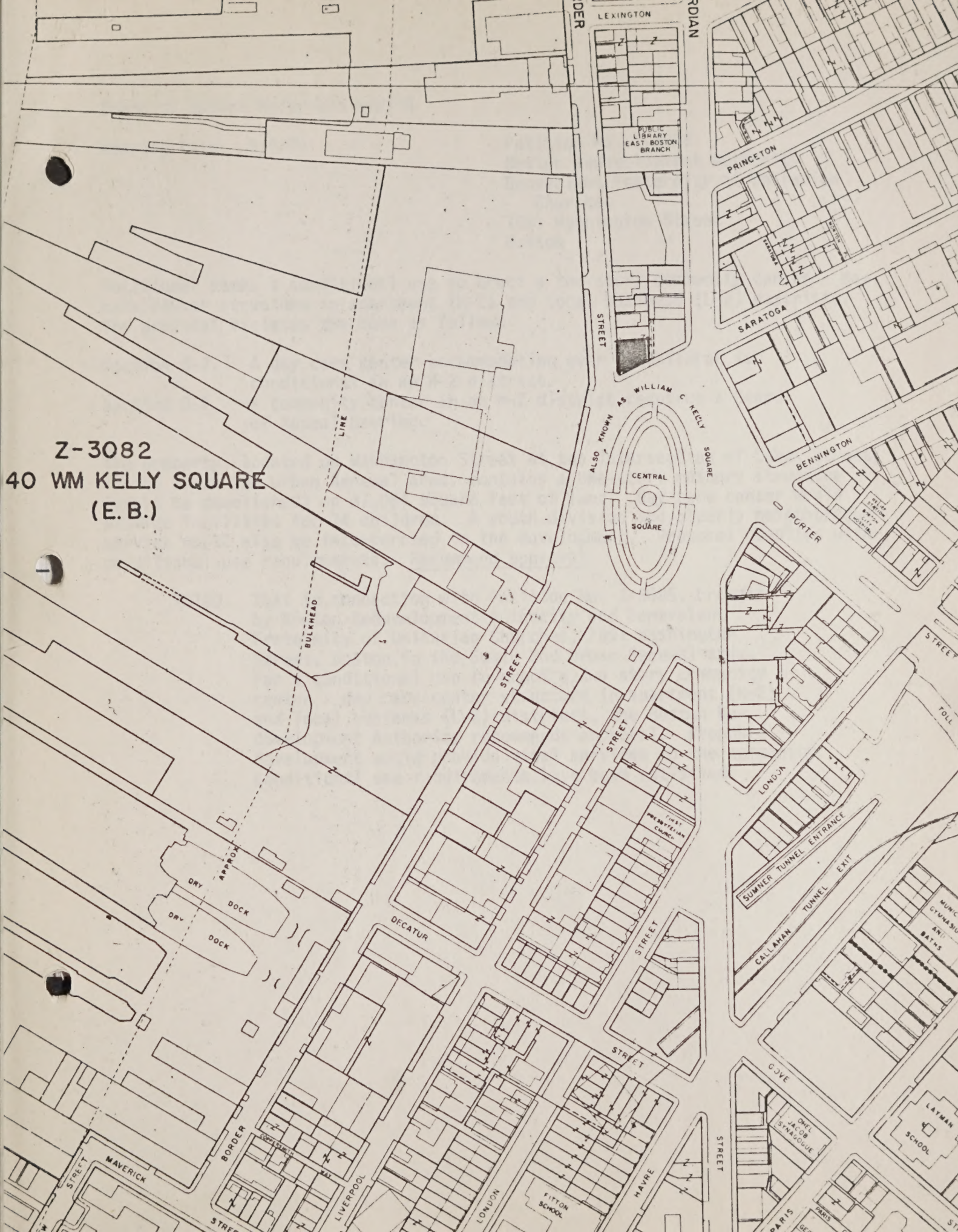
	<u>Req'd</u>	<u>Proposed</u>
Section 20-1. Rear yard is insufficient.	12 ft.	0
Section 23-4. Off street parking is insufficient.	7 spaces	0

The property, located at the intersection of Kelly Square and Border Street, contains a one-story bank building under construction. Following is recommended: that space be leased or acquired to provide required off street parking; that plans be submitted for design review. Recommend approval with provisos.

VOTED: That in connection with Petition No. Z-3082, brought by Commonwealth Bank & Trust Co., 40 Wm. J. Kelly Square, East Boston, for two variances to erect a one-story bank, store and office building in a general business (B-2) district, the Boston Redevelopment Authority recommends approval with the following provisos: that space be acquired or leased to supply required off street parking; that plans be submitted to the Authority for design review.



Z-3082  
40 WM KELLY SQUARE  
(E.B.)





Board of Appeal Referrals 5/2/74

Hearing Date: 5/7/74

Petition No. Z-3085  
Boston Redevelopment Authority  
Benevolent Fraternity of Unitarian  
Churches  
1891 Washington Street  
Boston

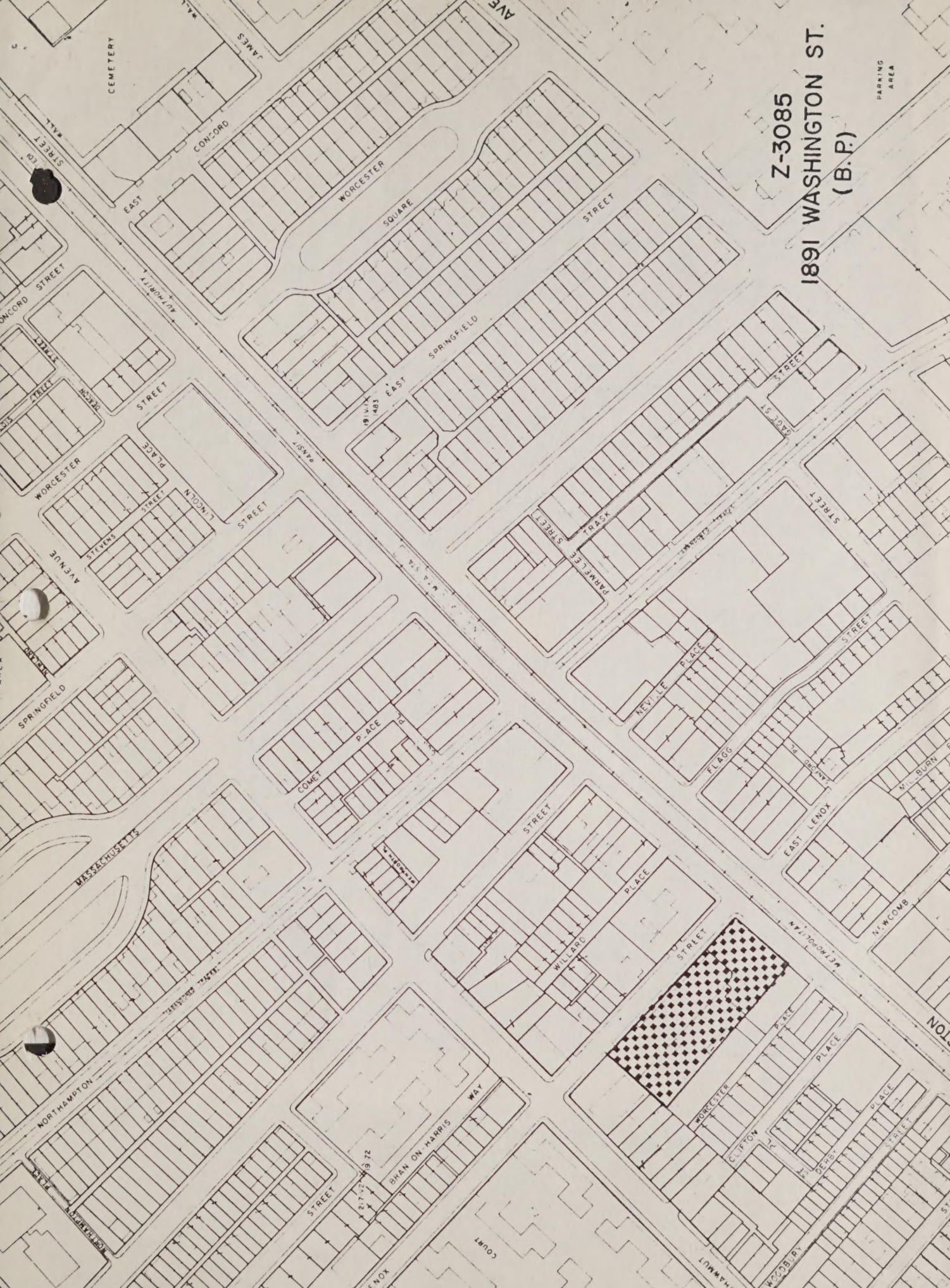
Petitioner seeks a conditional use to erect a two story community center - day care center structure in apartment (H-2) and local business (L-2) districts. The proposal violates the code as follows:

- Section 8-7. A day care center accommodating over 60 children is conditional in an H-2 district.  
Section 8-7. A community center in an H-2 district requires a Board of Appeal hearing.

The property, located on Washington Street at the intersection of Lenox Street, in the South End Urban Renewal area, contains a one-story masonry structure (would be demolished) on 37,064 square feet of land. Day care center would provide facilities for 74 children. A youth division and elderly neighborhood service would also be incorporated in the development. Proposal complies with conditional use requirements. Recommend approval

VOTED: That in connection with Petition No. Z-3085, brought by Boston Redevelopment Authority and Benevolent Fraternity of Unitarian Churches, 1891 Washington Street, Boston in the South End Urban Renewal area, for a conditional use to erect a two story community center - day care center structure in apartment (H-2) and local business (L-2) districts, the Boston Redevelopment Authority recommends approval. Proposed development would provide vital services to the community. Conditional use requirements have been satisfied.





Z-3085

1891 WASHINGTON ST.  
(B.P.)

PARKING  
AREA